

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
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<http://www.jpml.uscourts.gov>

October 17, 2006

TO CLERKS OF THE FOLLOWING U. S. DISTRICT COURTS:

EASTERN DISTRICT OF CALIFORNIA

MDL-1715 -- In re Ameriquest Mortgage Co. Mortgage Lending Practices Litigation

Keith T. Towns v. Ameriquest Mortgage Co., et al., E.D. California, C.A. No. 2:04-1855 **FED**

Dear Clerk:

I am enclosing a certified copy of an order filed today by the Panel in the above matter.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
Docket Specialist

Enclosure

cc: Transferee Judge: Judge Marvin E. Aspen
Transferor Judge: Judge Frank C. Damrell, Jr.

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CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
DEPUTY CLERK

JPML Form 32

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

A CERTIFIED TRUE COPY

OCT 17 2006

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DOCKET NO. 1715

FILED
CLERK'S OFFICE

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE AMERIQUEST MORTGAGE CO. MORTGAGE LENDING
PRACTICES LITIGATION**

Keith T. Towns v. Ameriquest Mortgage Co., et al., E.D. California, C.A. No. 2:04-1855

***BEFORE WM. TERRELL HODGES, CHAIRMAN, D. LOWELL JENSEN, J.
FREDERICK MOTZ, ROBERT L. MILLER, JR., KATHRYN H. VRATIL,
DAVID R. HANSEN AND ANTHONY J. SCIRICA, JUDGES OF THE PANEL***

ORDER DENYING TRANSFER

Before the Panel is a motion, pursuant to 28 U.S.C. § 1407(c), brought by Ameriquest Mortgage Co. and Town & Country Title Services, Inc., seeking transfer of this Eastern District of California action (*Towns*) to the Northern District of Illinois for inclusion in the centralized pretrial proceedings occurring there in this docket. The plaintiff did not respond to the motion.

On the basis of the papers filed and hearing session held (without oral argument), the Panel finds that Section 1407 transfer of *Towns* to the Eastern District of New York would neither serve the convenience of the parties and witnesses nor further the just and efficient conduct of this litigation. This action has been progressing in the Eastern District of California for over two years, and the deadlines for discovery and dispositive motions have passed. Indeed, the action had been scheduled for trial prior to the defendants' filing the instant motion. Although the plaintiff did not oppose the motion for transfer, given the posture of the *Towns* action, in which pretrial proceedings are essentially complete, we are not persuaded that transfer of this action for inclusion in the coordinated or consolidated proceedings is warranted.

IT IS THEREFORE ORDERED that the motion, pursuant to 28 U.S.C. § 1407(c), for transfer of this action is denied.

FOR THE PANEL:



Wm. Terrell Hodges
Chairman